UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,609	08/13/2001	Eric O. Bodnar	SF/0018.06	7909

			EXAMINER
22470	7590	02/26/2004	FLEURANTIN, JEAN B

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ART UNIT	PAPER NUMBER
2172	20

DATE MAILED: 02/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*RCE 01 December 2003*</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-7 and 9-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-7 and 9-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>14</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Response to Amendment

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 01 December, 2003 has been entered. Claims 1-

3, 5-7 and 9-20 remain pending for examination.

Information Disclosure Statement

2.   The information disclosure statement (IDS) filed on 01 December, 2003 (Paper No. 14)

complies with the provisions of MPEP 609. The information referred to therein has been

considered as to merits. (See attached Form).

Drawings

3.   The Examiner accepts the drawings filed on 16 January, 2002.

4.   The notification of change in entity status filed on 01 December, 2003 (Paper No. 15) has

been entered. The Terminal Disclaimer filed on 01 December, 2003 (Paper No. 19) has been

entered.

Specification

5.   The specification is objected to because of: the Appendix "pages 23-42". See MPEP 37

CFR 1.96.

Response to Applicant' Remarks

6.   Applicant's arguments filed on 01 December, 2003 (Paper No. 18), with respect to claims

1-3, 5-7 and 9-20 have been considered but, have been found persuasive only to the extent that

the prior art of record does not specifically teach the limitations "more than two". However,

Man-Hak Tso teaches such limitations.

In response to applicant's argument on page 9, a prima facie case of obvious of is

established when the teachings from the prior art itself would appear to have suggested the

claimed subject matter to a person of ordinary skill in the art. Once such a case is established, it

is incumbent upon appellant to go forward with objective evidence of unobviousness. In re

Fielder, 471 F.2d 640, 176 USPQ 300 (CCPA 1973).

Although the claims are interpreted in light of the specification, limitations from the

specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26

USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if
>
> the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would
>
> have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.
>
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 5-7 and 9-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

U.S. Patent No. 5,684,990 issued to Boothby ("hereinafter Boothby") in view of U.S. Patent No.

5,706,509 issued to Man-Hak Tso ("hereafter Man-Hak Tso").

As per claim 1, Boothby discloses, "in a data processing environment, a method for

synchronizing multiple data sets" as synchronization of disparate databases, (see col. 3, lines 16-

17), the method comprising:

"storing at least one mapping which specifies how user information may be transformed

for storage at a given data set" as action is taken at this point time because this desktop could

eventually be replaced if an exact match is later found for this status file record, desktop status is

simply updated to unchanged, however if such match record is found with desktop status set to

changed this means that there is more then one desktop record that maps to the match record,

(see col. 6, lines 40-49 and col. 7, lines 12-41);

"based on user information stored at said at least one data set and based on said at least

one mapping" (see col. 5, lines 20-23), "propagating to the data repository from each of at said at

least one data set any changes made to the user information, to the extent that such changes can

be reconciled with user information already present at said data repository" as a comparison is

made of the information content of the records, based on that comparison updating decisions are made for each set of records, (see, col. 3, lines 23-30);

"based on user information stored at said data repository and based on said at least one mapping, propagating to each of said at least one data set any changes to the user information which have been propagated to the data repository, to the extent that such changes are not present at said each data set" as the status file contains the data present in the two databases after the most recent synchronization, corresponding sets of records are chosen from each of the two databases and from the status file and a comparison is made of the information content of the records, based on that comparison, updating decisions are made for each set of records for example decisions are made whether to select the information content of one database record over the information content of the other and finally the selected information is written to the status file as well as the databases, (see column 3, lines 23-34).   Boothby does not explicitly disclose establishing a data repository for facilitating synchronization of user information maintained more than two data sets, said data repository storing user information that is a super-set of all user information for which any user desires synchronization support; and receiving a request for synchronizing at least one data set. However, Man-Hak Tso discloses "establishing a data repository for facilitating synchronization of user information maintained more than two data sets, said data repository storing user information that is a super-set of all user information for which any user desires synchronization support" a synchronization process, which can easily be extended to synchronize more than two data sets. For more than two data sets, synchronization can be applied to pairs of data sets until all sets are equivalent, (see col. 4, lines 47- 52); and "receiving a request for synchronizing at least one data set" as each data set may be

synchronized in turn with every other data set, (see col. 4, lines 52-56); and see column 6, lines 50-67. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Boothby with Man-Hak Tso, thereby establishing a data repository for facilitating synchronization of user information maintained more than two data sets, said data repository storing user information that is a super-set of all user information for which any user desires synchronization support; and receiving a request for synchronizing at least one data set. Such modification would allow the teachings of Boothby Man-Hak Tso to improve the accuracy and the reliability of the data processing environment with methods providing contemporaneous synchronization of two or more clients, and to provide a method and an apparatus for performing record level synchronization on two or more applications, (see col. 15, lines 8-10).

As per claims 2 and 16, Boothby discloses, "wherein said step of propagating to the data repository comprises as claimed performing selected operations of adding, updating, and deleting information at the data repository, so that the data repository reflects changes made to user information at the data sets", (see col. 3, lines 46-50).

As per claims 3 and 17, Boothby discloses, "wherein said operation of deleting information as claimed comprises a logical delete operation of making information as having been deleted", (see figure 6, col. 8, lines 40-42).

As per claim 12, Boothby discloses, "wherein each mapping table is associated with a particular data set', (see col. 1, lines 9-25).

As per claims 5 and 6, Boothby discloses, "wherein one grand unification database is created for each type of user information which is to be synchronized", (see col. 3, lines 15-23).

As per claim 7, Boothby discloses, "wherein said environment includes types of user information selected from contact, calendar, and task-oriented information", (see col. 4, lines 33-51).

As per claims 9 and 18, the limitations of claims 9 and 18 are rejected in the analysis of claim 1, and these claims are rejected on that basis.

As per claims 10 and 11, Boothby discloses, "wherein each mapping comprises a mapping table storing a plurality of mapping entries, each mapping entry storing at least a first identifier for indicating a particular data record in the data repository which the entry is associated with, and a second identifier for indicating a particular data record at a particular data set which is the source for the user information", (see col. 4, lines 59 to col. 5, lines 13), and see column 8, lines 55-59.

As per claim 13, Boothby discloses, "wherein one each mapping entry stores particular information useful for determining when its associated information was last modified" as to

determine if data records in one or more databases have been changed since the last synchronization, (see col. 3, lines 15-23).

As per claim 14, Boothby discloses, "wherein said particular information comprises a last-modified time stamp, derived at least in part from the client device where the associated user information was last modified", (see col. 8, lines 54-63).

As per claim 15, Boothby discloses, "wherein said particular information comprises a checksum value, for use with a data set residing at a client device that does not support time stamps", (see col. 3, lines 1-5).

As per claim 19, Boothby discloses, "wherein user information is stored at the data repository as unformatted blod data", (see col. 6, lines 19-31).

As per claim 20, Boothby discloses, "a method further comprising providing at least one type module for facilitating interpretation of user information stored as unformatted blod data at the repository" as desktop status set to unchanged and then the partial match is run through the key field search again, (see cols. 7 and 8, lines 26-67 and 1-51).

Prior Art

8.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Hawkins et al. US Patent No. 6,000,000 relates to a method and apparatus for

transferring and synchronizing multiple files between a handheld computer and a personal

computer.

Also, see Hawkins' figure 4, column 4, and lines 26-52.

Contact Information

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jean B Fleurantin whose telephone number is 703-308-6718.
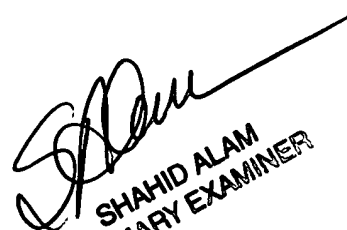
The examiner can normally be reached on 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, BREENE JOHN E can be reached on 703-305-9790. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-3900.

Jean Bolte Fleurantin

2004-02-18

SHAHID ALAM
PRIMARY EXAMINER